IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1773 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

S.M. Vidyarthi for the appellants.

CORAM: S.B. DESHMUKH, J.

September 19, 2006.

P.C. :

1. Heard the learned counsel for the applicant.

2. Ground no.6 which is reproduced herein below can be considered a substantial question of law within the parameters of Section 30 of the Workmen's Compensation Act, 1923.

"6. The learned Judge failed to appreciate that this was not the case

of any accidental death of the deceased but a case of natural death as it was due to heart attack.

3. Registry is directed to put the respondents on notice, returnable within 8 weeks.

(JUDGE)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4152 OF 2004

IN

FIRST APPEAL NO. 1773 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

S.M. Vidyarthi for the appellants.

CORAM: S.B. DESHMUKH, J.

September 19, 2006.

P.C. :

1. Heard the learned counsel for the applicant. Perused the order passed by this court on December 17, 2004. None appears for the

respondents.

2. In this view of the matter, ad-interim relief granted by this court earlier in terms of prayer clause (a), is made absolute till the disposal of the appeal. Liberty is granted in favour of the respondents for filing appropriate Civil Application seeking withdrawal of the amount of compensation from the Learned Commissioner for Workmen's Compensation.

3. Civil Application is accordingly allowed and disposed off in above terms.

sd/-

(JUDGE)